

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 20-CB-240427	Date Filed 4/29/2019

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security, Police and Fire Professionals of America, Local 650		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 829 Hao Street Honolulu, HI 96821		d. Tel. No. (808) 348-0801	e. Cell No.
		f. Fax No.	
		g. e-mail (b) (6), (b) (7)(C)	
h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b), subsections (1) and (list subsections) (A) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the past six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance regarding (b) (6), (b) (7)(D) termination for arbitrary or discriminatory reasons or in bad faith.			
3. Name of Employer Securitas Security Services USA, Inc.	4a. Tel. No. (808) 334-0730	b. Cell No.	c. Fax No.
	d. e-mail bill.king@securitasinc.com		
5. Location of plant involved (street, city, state and ZIP code) 73-200 Kupipi Street Kailua-Kona, HI 96740		6. Employer representative to contact William King	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Company	8. Identify principal product or service Security	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)			
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
		c. Fax No.	
		d. e-mail (b) (6), (b) (7)(C)	
12. DECLARATION (b) (6), (b) (7)(C) have read the above charge and that the statements are true to the best of my knowledge and belief. (b) (6), (b) (7)(C), an Individual making charge (Print/type name and title or office, if any)		Tel. No. (b) (6), (b) (7)(C)	
		Cell No.	
		Fax No.	
Address (b) (6), (b) (7)(C)		Date 4-24-19 (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

RECEIVED

NLRB SUB-REGION 37  
2019 APR 29 AM 11:01  
HONOLULU, HAWAII



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 37  
300 Ala Moana Blvd Rm 7-245  
Honolulu, HI 96850-7245

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (808)541-2814  
Fax: (808)541-2818

May 23, 2019

(b) (6), (b) (7)(C)

Re: Security Police and Fire Professionals of  
America, Local 650 (Securitas Security  
Services USA Inc.)  
Case 20-CB-240427

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security Police and Fire Professionals of America, Local 650 Union has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of there is insufficient evidence to establish a violation of the Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlrb.gov](http://www.nlrb.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **June 6, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than *June 5, 2019*. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before June 6, 2019**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **June 6, 2019**, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

DANIEL J. OWENS  
Acting Regional Director

*/s/ Dale K. Yashiki*

By: \_\_\_\_\_  
DALE K. YASHIKI  
Officer in Charge

Enclosure

cc: (b) (6), (b) (7)(C)  
International Union, Security, Police and  
Fire Professionals of America, Local 650  
829 Hao St  
Honolulu, HI 96821-1620  
(b) (6), (b) (7)(C)

Bill King, Airport Security Manager  
Securitas Security Services USA, Inc.  
73-200 Kupipi Street  
Kona International Airport  
Kailua-Kona, HI 96740-2645  
Email: [bill.king@securitasinc.com](mailto:bill.king@securitasinc.com)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

July 10, 2019

(b) (6), (b) (7)(C)

Re: Security Police and Fire Professionals of  
America, Local 650 (Securitas Security  
Services USA Inc.)  
Case 20-CB-240427

Dear (b) (6), (b) (7)(C):

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied. It is well established that a union is generally afforded a wide range of discretion in the performance of its representation functions provided that its conduct is not motivated by arbitrary, invidious, or discriminatory considerations. See *Vaca v. Sipes*, 386 U.S. 171 (1967). Here, the Union has not breached its duty of fair representation. Rather, the evidence reveals that the Union is continuing to process your grievance and is awaiting a decision from the International Union as to whether your grievance will be processed further. Accordingly, further proceedings are not warranted.

Sincerely,

Peter Barr Robb  
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld". The signature is written in a cursive, flowing style.

By: \_\_\_\_\_

Mark E. Arbesfeld, Director  
Office of Appeals

Security Police and Fire Professionals of  
America, Local 650 (Securitas Security  
Services USA Inc.)  
Case 20-CB-240427

-2

cc: JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
901 MARKET ST STE 400  
SAN FRANCISCO, CA 94103-1738

**(b) (6), (b) (7)(C)**  
INTERNATIONAL UNION,  
SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA,  
LOCAL 650  
829 HAO ST  
HONOLULU, HI 96821-1620

DALE K. YASHIKI  
OFFICER IN CHARGE  
NATIONAL LABOR RELATIONS  
BOARD  
300 ALA MOANA BLVD RM 7-245  
HONOLULU, HI 96850-7245

BILL KING  
AIRPORT SECURITY MANAGER  
SECURITAS SECURITY SERVICES USA,  
INC.  
73-200 KUPIPI ST  
KONA INTERNATIONAL AIRPORT  
KAILUA-KONA, HI 96740-2645

kh

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 20-CB-258251	Date Filed March 20, 2020

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name security police fire professionals of america		b. Union Representative to contact (b) (6), (b) (7)(C) Title: (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) 25510 Kelly road MI Roseville 48066-_____		d. Tel. No. (586) 772-8250	e. Cell No.
		f. Fax No.	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) _____ of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  --See additional page--			
3. Name of Employer Securitas		4a. Tel. No. (808) 346-0622	b. Cell No.
		c. Fax No.	d. e-Mail daniel.counts@securitasinc.com
5. Location of plant involved (street, city, state and ZIP code) 3901 Mokulele loop HI Lihue 96766-_____		6. Employer representative to contact Daniel Counts Title: Contract Security Manager	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C) _____			
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) Address _____ (date) 03/19/2020 15:01:56		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## **Basis of the Charge**

### **8(b)(1)(A)**

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 37  
300 Ala Moana Blvd Rm 7-245  
Honolulu, HI 96850-7245

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (808)541-2814  
Fax: (808)541-2818

April 22, 2020

**E-Issued**

Richard M. Olszewski, Esq.  
Gregory, Moore, Brooks & Clark, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Re: Security Police Fire Professionals of  
America (Securitas Security Services USA,  
Inc.)  
Case 20-CB-258251

Dear Mr. Olszewski:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN  
Regional Director

By: \_\_\_\_\_  
DALE K. YASHIKI  
Officer in Charge

cc: (b) (6), (b) (7)(C)  
Security Police Fire Professionals of  
America  
829 Hao Street  
Honolulu, HI 96821

(E-Issued)

(b) (6), (b) (7)(C)

(E-Issued)



Joel Hayes, Regional Manager of  
Employee Relations, Pacific Region  
Securitas USA  
2100 S. State College Blvd.  
Anaheim, CA 90806

*(E-Issued)*

Richard M. Rand, Esq.  
Marr Jones & Wang LLP  
1003 Bishop Street  
Pauahi Tower, Suite 1500  
Honolulu, HI 96813

*(E-Issued)*



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 37  
300 Ala Moana Blvd Rm 7-245  
Honolulu, HI 96850-7245

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (808)541-2814  
Fax: (808)541-2818

May 12, 2020

**E-Issued:**

Richard M. Olszewski, Esq.  
Gregory, Moore, Brooks & Clark, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Re: Security Police Fire Professionals of America  
(Securitas Security Services USA, Inc.)  
Case 20-CB-258251

Dear Mr. Olszewski:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN  
Regional Director

By: \_\_\_\_\_  
DALE K. YASHIKI  
Officer in Charge

cc: (b) (6), (b) (7)(C)  
Security Police Fire Professionals of  
America  
25510 Kelly Road  
MI, Roseville 48066  
(E-Issued)

Richard M. Rand, Esq.  
Marr Jones & Wang LLP  
1003 Bishop Street  
Pauahi Tower, Suite 1500  
Honolulu, HI 96813  
(E-Issued)

(b) (6), (b) (7)(C)

Joel Hayes, Regional Manager of  
Employee Relations, Pacific Region  
Securitas USA  
2100 S. State College Blvd.  
Anaheim, CA 90806  
(E-Issued)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>20-CB-258921</b>	Date Filed <b>April 8, 2020</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police Fire Professionals of America		b. Union Representative to contact Dave Hickey Title: international President	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road MI Roseville 48066-_____		d. Tel. No. (586) 772-7250	e. Cell No.
		f. Fax No. (586) 772-9644	g. e-Mail spfpapres@spfpa.org
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) _____ of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  --See additional page--			
3. Name of Employer Securitas Security Inc.		4a. Tel. No. (808) 489-3591	b. Cell No. (808) 864-7128
		c. Fax No.	d. e-Mail frederick.robello@securitasinc.com
5. Location of plant involved (street, city, state and ZIP code) 888 N Nimitz Hwy HI Honolulu 96817-_____		6. Employer representative to contact Frederick Robello Title: Division contract manager	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Airport security	9. Number of workers employed 1500	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) Address _____ (date) 04/8/2020 11 09:14		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

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## **Basis of the Charge**

### **8(b)(1)(A)**

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 37  
300 Ala Moana Blvd Rm 7-245  
Honolulu, HI 96850-7245

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (808) 541-2814  
Fax: (808) 541-2818

April 23, 2020

E-Issued

Richard M. Olszewski, Esq.  
Gregory, Moore, Brooks & Clark, P.C.  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Re: Security Police Fire Professionals of  
America (Securitas Security Inc.)  
**Case 20-CB-258921**

Dear Mr. Olszewski:

Yesterday, we issued a letter informing you that I had approved the withdrawal of Case 20-CB-258251. That letter was issued in error, and is rescinded. **The case approved for withdrawal is Case 20-CB-258921.** Case 20-CB-258251 continues to be investigated. We apologize for any inconvenience our error may have caused.

Very truly yours,

JILL H. COFFMAN  
Regional Director

By:

DALE K. YASHIKI  
Officer in Charge

cc: Dave Hickey, International President (E-Issued)  
Security Police Fire Professionals of America  
25510 Kelly Road  
Roseville, MI 48066



(b) (6), (b) (7)(C)

(E-Issued)

Security Police Fire Professionals of America  
829 Hao Street  
Honolulu, HI 96821

(b) (6), (b) (7)(C)

(E-Issued)

Frederick Robello  
Division Contract Manager  
Securitas Security Inc.  
888 N Nimitz Hway  
Honolulu, HI 96817

(E-Issued)

Richard M. Rand, Esq.  
Marr Jones & Wang LLP  
1003 Bishop Street  
Pauahi Tower, Suite 1500  
Honolulu, HI 96813

(E-Issued)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>20-CB-266384</b>	Date Filed <b>9/21/2020</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT</b>			
a. Name International Union, Security, Police, and Fire Professionals of America		b. Union Representative to contact  Ryan Kelly  Title: Vice President	
c. Address (Street, city, state, and ZIP code)  P.O. Box 16914, Fort Worth, TX 76162		d. Tel. No. 586.879.5087	e. Cell No.
		f. Fax No.	g. e-Mail ryan@spfp.org
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>3</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  Within the previous six months, the Union has failed and refused to bargain in good faith with the Employer.			
3. Name of Employer Paragon Systems, Inc.		4a. Tel. No. 865-266-0383	b. Cell No.
		c. Fax No.	d. e-Mail laura.hagan@scisusa.com
5. Location of plant involved (street, city, state and ZIP code)  Various locations throughout Hawaii and in Guam and Saipan		6. Employer representative to contact Laura M Hagan Title: General Counsel	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Security Services	9. Number of workers employed 100	
10. Full name of party filing charge Laura M Hagan Paragon Systems, Inc.		11a. Tel. No. (703) 263-7176	b. Cell No.
		c. Fax No.	d. e-Mail laura.hagan@scisusa.com
11. Address of party filing charge (street, city, state and ZIP code.) 13900 Lincoln Park Drive Suite 300 VA Herndon 20171-			
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By <u>Laura M Hagan</u> (signature of representative or person making charge) <u>Laura M Hagan</u> (Print/type name and title or office, if any) Title: General Counsel 13900 Lincoln Park Drive Suite 300 Herndon VA 20171- Address _____ (date) 9/18/2020		Tel. No. (865) 266-0383 Cell No. Fax No. e-Mail laura.hagan@scisusa.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 37  
300 Ala Moana Blvd Rm 7-245  
Honolulu, HI 96850-7245

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (808)541-2814  
Fax: (808)541-2818

October 2, 2020

**E-Issued**

Laura Hagan, Esq., Vice President/General Counsel  
Paragon Systems, Inc.  
13900 Lincoln Park Dr., Ste. 300  
Herndon, VA 20171

Re: International Union, Security, Police, and  
Fire Professionals of America  
(*Paragon Systems, Inc.*)

Case 20-CB-266384

Dear Ms. Hagan:

We have carefully considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA) has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

We have attempted several times to contact you in order to investigate this charge, but have been unsuccessful in eliciting any response. For this reason, I have decided to dismiss your charge due to a lack of timely cooperation and have determined that further proceedings are not warranted at this time. If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

**Charging Party's Right to Appeal:** The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's

E-Filing policy are available at [www.nlrb.gov](http://www.nlrb.gov). See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at [www.nlrb.gov](http://www.nlrb.gov). If you require additional assistance with E-Filing, please contact [e-Filing@nlrb.gov](mailto:e-Filing@nlrb.gov).

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **October 16, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than *October 15, 2020*. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 16, 2020**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after *October 16, 2020*, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence

International Union, Security, Police, and  
Fire Professionals of America  
(Paragon Systems, Inc.)  
Case 20-CB-266384

- 3 -

October 2, 2020

at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

JILL H. COFFMAN  
Regional Director



By: \_\_\_\_\_

DALE K. YASHIKI  
Officer in Charge

Enclosure

cc: Ryan J. Kelly, Vice President-Region 3  
International Union, Security, Police and  
Fire Professionals of America (SPFPA)  
PO Box 16914  
Fort Worth, TX 76162

*E-Issued*



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

## E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
  - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
  - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
  - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
  - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
  - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
  - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
  - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
  - The Charging Party will e-file this document as a supplement of the Appeal.
  - The Charged Party will specifically file one to support the Region's decision.
  - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
  - This document should be e-Filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

## DO NOT WRITE IN THIS SPACE

Case

20-CB-270034

Date Filed

12/10/2020

**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSIONALS OF AMERICA and ITS LOCAL NO. 652	b. Union Representative to contact (b) (6), (b) (7)(C)
c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789	d. Tel. No. 808) 953-5423
	e. Cell No. 808) 469-8704
	f. Fax No.
	g. e-mail (b) (6), (b) (7)(C)

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
On or about October 27, 2020, the Union completed negotiations of a collective bargaining agreement with Paragon Systems, Inc. Throughout the negotiation of the contract, bargaining unit employees pressed the Union to include a provision requiring amendment of the contract before it could become effective (as is required by the Union's Constitution). The Union violated its duty of fair representation by rejecting the request of the membership. The Union then conducted a ratification vote in a manner that denied many members the right to vote and deprived members of the right to a secret ballot. The Union took these actions to protect itself from the desires of its membership.

3. Name of Employer Paragon Security, Inc. 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171	4a. Tel. No. (703) 263-7176	b. Cell No. (571) 321-0912	c. Fax No. (703) 263-9157
	d. e-mail LKACIBAN@PARASYS.COM		

5. Location of plant involved (street, city, state and ZIP code) Honolulu HI	6. Employer representative to contact Leslie Kaciban Jr.
---------------------------------------------------------------------------------	-------------------------------------------------------------

7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Security	9. Number of workers employed 120
-------------------------------------------------------------------------------------------	------------------------------------------------------	--------------------------------------

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.	c. Fax No.
	d. e-mail (b) (6), (b) (7)(C)		

## 12. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Jonathan Axelrod

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Tel. No.  
202-328-7222Cell No.  
202-365-1610

Fax No.

e-mail  
jaxelrod@beinsaxelrod.com

Beins, Axelrod, P.C., 1717 K Street NW, Washington, DC

Address 20006

Date 12/10/2020

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**FIRST AMENDED CHARGE AGAINST  
LABOR ORGANIZATION OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>20-CB-270034</b>	Date Filed <b>12/16/2020</b>

**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSIONALS OF AMERICA and ITS LOCAL NO. 652		b. Union Representative to contact <b>(b) (6), (b) (7)(C)</b>	
c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789		d. Tel. No. 808-953-5423	<b>(b) (6), (b) (7)(C)</b>
		f. Fax No.	
		g. e-mail <b>(b) (6), (b) (7)(C)</b>	
h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) <b>1(A)</b> of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or about October 20, 2020, the Union [SPFPA] completed negotiations of a collective bargaining agreement with Paragon Systems, Inc. Throughout the negotiation of the contract, bargaining unit employees pressed [SPFPA] to include a provision requiring ratification of the contract before it could become effective (as is required by the Union's Constitution). [SPFPA] violated its duty of fair representation by rejecting the request of the membership. [SPFPA] then conducted a ratification vote in a manner that denied many members the right to vote and deprived members of the right to a secret ballot. [SPFPA] took these actions to protect itself from the desires of its membership.			
3. Name of Employer Paragon Security, Inc. 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171		4a. Tel. No. 703-263-7176	b. Cell No. 571-321-0912
		c. Fax No. 703-263-9157	
		d. e-mail lkaciban@parasys.com	
5. Location of plant involved (street, city, state and ZIP code) Honolulu, HI		6. Employer representative to contact Leslie Kaciban, Jr.	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Security	9. Number of workers employed 120	
10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>			
11. Address of party filing charge (street, city, state and ZIP code) <b>(b) (6), (b) (7)(C)</b>		11a. Tel. No. <b>(b) (6), (b) (7)(C)</b>	b. Cell No. <b>(b) (6), (b) (7)(C)</b>
		c. Fax No.	
		d. e-mail <b>(b) (6), (b) (7)(C)</b>	
12. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge)		Tel. No. 202-328-7222	
Jonathan Axelrod (Print/type name and title or office, if any)		Cell No. 202-365-1610	
		Fax No.	
Address Beins, Axelrod, P.C., 1717 K Street NW, Suite 1120, Washington, DC 20006		e-mail jaxelrod@beinsaxelrod.com	
Date 12/16/2020			

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**Case  
**20-CB-270039**Date Filed  
**12/10/2020****INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSIONALS OF AMERICA and ITS LOCAL NO. 652	b. Union Representative to contact (b) (6), (b) (7)(C)
c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789	d. Tel. No. 808) 953-5423
	e. Cell No. (b) (6), (b) (7)(C)
	f. Fax No.
	g. e-mail (b) (6), (b) (7)(C)

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
On or about October 27, 2020, the Union completed negotiations of a collective bargaining agreement with Paragon Systems, Inc. Throughout the negotiation of the contract, bargaining unit employees pressed the Union to include a provision requiring amendment of the contract before it could become effective (as is required by the Union's Constitution). The Union violated its duty of fair representation by rejecting the request of the membership. The Union then conducted a ratification vote in a manner that denied many members the right to vote and deprived members of the right to a secret ballot. The Union took these actions to protect itself from the desires of its membership.

3. Name of Employer Paragon Security, Inc. 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171	4a. Tel. No. (703) 263-7176	b. Cell No. (571) 321-0912	c. Fax No. (703) 263-9157
	d. e-mail LKACIBAN@PARASYS.COM		
5. Location of plant involved (street, city, state and ZIP code) Honolulu HI	6. Employer representative to contact Leslie Kaciban Jr.		
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Security	9. Number of workers employed 120	

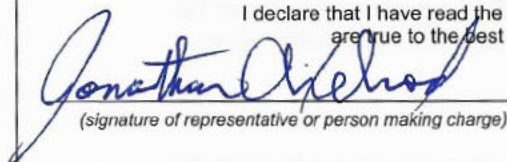
10. Full name of party filing charge

(b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)	11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No. (b) (6), (b) (7)(C)	c. Fax No.
	d. e-mail (b) (6), (b) (7)(C)		

**12. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

  
(signature of representative or person making charge)

Jonathan Axelrod

(Print/type name and title or office, if any)

Beins, Axelrod, P.C., 1717 K Street NW, Washington, DC  
Address 20006

Date 12/10/2020

Tel. No.  
202-328-7222Cell No.  
202-365-1610

Fax No.

e-mail  
jaxelrod@beinsaxelrod.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
FIRST AMENDED CHARGE AGAINST  
LABOR ORGANIZATION OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case 20-CB-270039	Date Filed 12/16/2020

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name INTERNATIONAL UNION, SECURITY, POLICE, AND FIRE PROFESSIONALS OF AMERICA and ITS LOCAL NO. 652		b. Union Representative to contact (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) P.O. Box 894105 Mililani, HI 96789		d. Tel. No. 808-953-5423	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No.	
		g. e-mail (b) (6), (b) (7)(C)	
h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) <u>1(A)</u> of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On or about October 20, 2020, the Union [SPFPA] completed negotiations of a collective bargaining agreement with Paragon Systems, Inc. Throughout the negotiation of the contract, bargaining unit employees pressed [SPFPA] to include a provision requiring ratification of the contract before it could become effective (as is required by the Union's Constitution). [SPFPA] violated its duty of fair representation by rejecting the request of the membership. [SPFPA] then conducted a ratification vote in a manner that denied many members the right to vote and deprived members of the right to a secret ballot. [SPFPA] took these actions to protect itself from the desires of its membership.			
3. Name of Employer Paragon Security, Inc. 13900 Lincoln Park Drive Suite 300 Herndon, VA 20171		4a. Tel. No. 703-263-7176	b. Cell No. 571-321-0912
		c. Fax No. 703-263-9157	
		d. e-mail lkaciban@parasys.com	
5. Location of plant involved (street, city, state and ZIP code) Honolulu, HI		6. Employer representative to contact Leslie Kaciban, Jr.	
7. Type of establishment (factory, mine, wholesaler, etc.) Security Systems & Services	8. Identify principal product or service Security	9. Number of workers employed 120	
10. Full name of party filing charge (b) (6), (b) (7)(C)			
11. Address of party filing charge (street, city, state and ZIP code) (b) (6), (b) (7)(C)		11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	
		d. e-mail (b) (6), (b) (7)(C)	
12. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  Jonathan Axelrod (signature of representative or person making charge) (Print/type name and title or office, if any)			
Address Beins, Axelrod, P.C., 1717 K Street NW, Suite 1120, Washington, DC 20006		Tel. No. 202-328-7222	
Date 12/16/2020		Cell No. 202-365-1610	
		Fax No.	
		e-mail jaxelrod@beinsaxelrod.com	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>21-CB-15123</b>	Date Filed <b>3-23-11</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security, Police and Fire Professionals of America (SPFPA), Local Union 3		b. Union Representative to contact <b>(b) (6), (b) (7)(C)</b>	
c. Address (Street, city, state, and ZIP code) 25510 Kelly Road Roseville, MI 48066		d. Tel. No. 586-772-7250	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>1(A)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the past six (6) months, the above-named labor organization has breached its duty of fair representation by failing and refusing to process the grievances of Daniel Yealu, for arbitrary, discriminatory, or invidious reasons.			
3. Name of Employer Paragon Systems		4a. Tel. No. 626-966-5544	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 300 N. Los Angeles Street Los Angeles, CA 90012		6. Employer representative to contact Gerald Edwards	
7. Type of establishment (factory, mine, wholesaler, etc.) security company	8. Identify principal product or service security services	9. Number of workers employed 500+	
10. Full name of party filing charge <b>(b) (6), (b) (7)(C)</b>		11a. Tel. No. <b>(b) (6), (b) (7)(C)</b>	b. Cell No. <b>(b) (6), (b) (7)(C)</b>
		c. Fax No.	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.) <b>(b) (6), (b) (7)(C)</b>			
12. DECLARATION I declare <b>(b) (6), (b) (7)(C)</b> herein are true to the best of my knowledge and belief By <b>(b) (6), (b) (7)(C)</b> An Individual (signature) (Print/type name and title or office, if any) same as above Address _____ (date) 3/23/11		Tel. No. <b>(b) (6), (b) (7)(C)</b> Cell No. <b>(b) (6), (b) (7)(C)</b> Fax No. e-Mail	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings and litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



75th Anniversary  
1935 - 2010

**United States Government**  
**NATIONAL LABOR RELATIONS BOARD**

**Region 21**

**888 South Figueroa Street, Ninth Floor**

**Los Angeles, CA 90017-5449**

Telephone: (213) 894-5204

Facsimile: (213) 894-2778

E-mail: [NLRBRegion21@nlrb.gov](mailto:NLRBRegion21@nlrb.gov)

**Resident Office:**

**555 W Beech Street - Suite 418**

**San Diego, CA 92101-2939**

Telephone: (619) 557-6184

Facsimile: (619) 557-6358

May 23, 2011

(b) (6), (b) (7)(C)

Re: Security, Police and Fire Professionals of  
America (SPFPA), Local Union 3  
(Paragon Systems)  
Case 21-CB-15123

Dear (b) (6), (b) (7)(C):

The Region has carefully investigated and considered your charge against Security, Police and Fire Professionals of America (SPFPA), Local Union 3 alleging violations under Section 8 of the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have concluded that further proceedings are not warranted and I am dismissing your charge for the following reasons:

Your charge alleges that the Union breached its duty of fair representation under Section 8(b)(1)(A) of the Act by failing and refusing to process your grievances for reasons that were arbitrary, discriminatory or invidious. The investigation revealed that the Union did in fact consider and/or investigate each of your grievances but determined in good faith not to continue pursuing your grievances. Moreover, insufficient evidence was presented to establish that the Union's decision not to continue processing your grievances was based on any arbitrary, discriminatory or invidious considerations. Accordingly, there is insufficient evidence to establish that the Union breached its duty of fair representation and thus it cannot be shown that the Union's conduct represented a violation of Section 8(b)(1)(A) of the Act, as alleged.

**Your Right to Appeal:** The National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing an appeal with the ACTING GENERAL COUNSEL of the National Labor Relations Board. Use of the Appeal Form (Form NLRB-4767) will satisfy this requirement. However, you are encouraged to submit a complete statement setting forth the facts and reasons why you believe that the decision to dismiss your charge was incorrect.



**Means of Filing:** An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. *To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions.* To file an appeal by mail or delivery service, address the appeal to the Acting General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date and Time:** The appeal is due on June 7, 2011. If you file the appeal electronically, it will be considered timely filed if the transmission of the entire document through the Agency's website is accomplished **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or sent it by a delivery service, it must be received by the Acting General Counsel in Washington, D.C. by the close of business at 5:00 p.m. Eastern Time or be postmarked or given to the delivery service no later than June 6, 2011.

**Extension of Time to File Appeal:** Upon good cause shown, the Acting General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. *To file electronically, go to [www.nlr.gov](http://www.nlr.gov), click on **File Case Documents**, enter the NLRB Case Number and follow the detailed instructions.* The fax number is (202) 273-4283. A request for an extension of time to file an appeal **must be received on or before the original appeal due date**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

**Confidentiality/Privilege:** Please be advised that we cannot accept any limitations on the use of any appeal statement or evidence in support thereof provided to the Agency. Thus, any claim of confidentiality or privilege cannot be honored, except as provided by the FOIA, 5 U.S.C. 552, and any appeal statement may be subject to discretionary disclosure to a party upon request during the processing of the appeal. In the event the appeal is sustained, any statement or material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. Because we are required by the Federal Records Act to keep copies of documents used in our case handling for some period of years after a case closes, we may be required by the FOIA to disclose such records upon request, absent some applicable exemption such as those that protect confidential source, commercial/financial information or personal privacy interests (e.g., FOIA Exemptions 4, 6, 7(C) and 7(d), 5 U.S.C. § 552(b)(4), (6), (7)(C), and (7)(D)). Accordingly, we will not honor any requests to place limitations on our use of appeal statements or supporting evidence beyond those prescribed by the foregoing laws, regulations, and policies.

May 23, 2011

**Notice to Other Parties of Appeal:** You should notify the other parties to the case that an appeal has been filed. Therefore, at the time the appeal is mailed to the Acting General Counsel, please complete the enclosed Appeal Form (NLRB-4767) and send one copy of the form to all parties whose names and addresses are set forth in this letter.

Very truly yours,

/s/James F. Small  
Regional Director

Enclosures

cc: (See next page)

cc: Security, Police and Fire Professionals  
of America (SPFPA), Local Union 3  
25510 Kelly Road  
Roseville, MI 48066

Gordon A. Gregory, Attorney at Law  
Gregory, Moore, Jeakle, Heinen, &  
Brooks, P.C.  
The Cadillac Tower  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

Emilie D. Rothgery, Attorney at Law  
Gregory, Moore, Jeakle, Heinen, &  
Brooks, P.C.  
The Cadillac Tower  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226-2893

David L. Hickey, International President  
International Union, Security, Police and Fire  
Professionals of America (SPFPA),  
International Union  
25510 Kelly Road  
Roseville, MI 48066

Paragon Systems  
14160 Newbrook Drive, Suite 210  
Chantilly, VA 20151

Acting General Counsel  
Office of Appeals  
National Labor Relations Board  
Washington, D.C. 20570

JFS/ng

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: Acting General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 14th Street, N.W.  
Washington, D.C. 20570

Date:

Please be advised that an appeal is hereby taken to the Acting General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

**Security, Police and Fire Professionals of America (SPFPA), Local Union 3 (Paragon Systems)**

**21-CB-15123**

Case Number(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

\_\_\_\_\_  
(Signature)





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

June 27, 2011

(b) (6), (b) (7)(C)

Re: Security, Police and Fire Professionals of  
America (SPFPA), Local Union 3  
(Paragon Systems)  
Case 21-CB-015123

Dear (b) (6), (b) (7)(C):

This is in response to your appeal in the above matter. We regret to inform you that nothing further can be done in the matter.

By letter dated you were advised by the Regional Office that a complaint would not issue in the matter and that any appeal from this action must be received in this office by the close of business at 5:00 p.m. (ET) on June 7, 2011, or be postmarked by June 6, 2011. Your appeal dated May 19, 2011 was postmarked **June 8, 2011**, and received in this office on June 20, 2011. Accordingly, and in light of the Board's Rules, we must reject your appeal as being untimely filed and consider our files in this matter closed.

You may find the necessity of the above action overly harsh and technical. However, we must also keep in mind that parties against whom charges have been filed and dismissed are entitled to know when they need no longer expect that further proceedings against them will be taken.

Sincerely,

Lafe E. Solomon  
Acting General Counsel

By \_\_\_\_\_  
Yvonne T. Dixon, Director  
Office of Appeals

cc: WILLIAM PATE  
ACTING REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
888 SOUTH FIGUEROA ST, 9<sup>TH</sup> FL  
LOS ANGELES, CA 90017

GORDON A. GREGORY, ESQ.  
GREGORY, MOORE, JEAKLE,  
HEINEN, & BROOKS, P.C.  
CADILLAC TOWERS  
65 CADILLAC SQ, STE 3727  
DETROIT, MI 48226-2844

DAVID L. HICKEY  
INTERNATIONAL PRESIDENT  
INTERNATIONAL UNION,  
SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA  
(SPFPA), INTERNATIONAL UNION  
25510 KELLY RD  
ROSEVILLE, MI 48066-4932

SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA  
(SPFPA), LOCAL UNION 3  
25510 KELLY RD  
ROSEVILLE, MI 48066

EMILIE D. ROTHGERY, ESQ.  
GREGORY, MOORE, JEAKLE,  
HEINEN, & BROOKS, P.C.  
CADILLAC TOWERS  
65 CADILLAC SQ, STE 3727  
DETROIT, MI 48226-2844

PARAGON SYSTEMS  
14160 NEWBROOK DR, STE 210  
CHANTILLY, VA 20151

wp

FORM NLRB-508  
(2-08)

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATIONS  
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**

Case

21-CB-15166

Date Filed

/ / 6-17-11

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name

International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153

b. Union Representative to contact

Michael P. Hough

c. Address

(Street, city, state, and ZIP code)

25510 Kelly Road

Roseville

MI 48066-

d. Tel. No.

( ) -

e. Cell No.

( ) -

f. Fax No.

( ) -

g. e-Mail

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

The above-captioned Union has entered into a contract with G4S Secure Solutions, Inc. ("Employer") that recognizes the Union as the exclusive collective-bargaining representative of the Employer's Transportation Security Officers (TSOs) performing work in San Diego, California, when it has not been so chosen by an uncoerced majority of the employees.

Alternatively, if the Union is the lawfully selected collective-bargaining representative of the TSOs, the Union has nevertheless failed to comply with its Beck and other obligations under the Act with respect to the seeking of the payment of dues pursuant to a union-security clause. The Union has further violated the Act by seeking to have the Employer terminate employees, including, but not limited to,

(b) (6), (b) (7)(C) for non-payment of dues without complying with their obligations under the Act.

3. Name of Employer

G4S Secure Solutions (USA), Inc.

4a. Tel. No.

( ) -

b. Cell No.

( ) -

c. Fax No.

( ) -

d. e-Mail

5. Location of plant involved (street, city, state and ZIP code)

900 Lane Avenue, Ste. 114

Chula Vista

CA

91914-

6. Employer representative to contact

Steffani Toney

7. Type of establishment (factory, mine, wholesaler, etc.)

Security

8. Identify principal product or service

Security Officers

9. Number of workers employed

45

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11a. Tel. No.

(b) (6), (b) (7)(C)

b. Cell No.

( ) -

c. Fax No.

( ) -

d. e-Mail

11. Address of party filing charge (street, city, state and ZIP code.)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

CA 91977-

I declare that I have

13. DECLARATION  
that the statements therein are true to the best of my knowledge and belief.

By

(signature of)

(making charge)

(b) (6), (b) (7)(C) (Print/type name and title or office, if any)

Tel. No.

(b) (6), (b) (7)(C)

Cell No.

( ) -

Fax No.

( ) -

e-Mail

Address Same as above

(date) 06/17/2011

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**  
IO:RM

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 21  
888 S FIGUEROA ST  
FL 9  
LOS ANGELES, CA 90017-5449

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5204  
Fax: (213)894-2778

August 31, 2011

(b) (6), (b) (7)(C)

Re: International Union, Security, Police and  
Fire Professionals of America (SPFPA),  
Local 153  
(G4S Secure Solutions (USA), Inc.)  
Case 21-CB-015166

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have concluded that further proceedings are not warranted and I am dismissing your charge.

**Your Right to Appeal:** You may appeal my decision to the Acting General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision to dismiss your charge was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the Acting General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **September 14, 2011**. If you file the appeal electronically, we will consider it timely filed if you send the appeal together with any other documents you want us to consider through the Agency's website so the transmission is completed by **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or

August 31, 2011

International Union, Security, Police and Fire  
Professionals of America (SPFPA), Local  
153 (G4S Secure Solutions (USA), Inc.  
Case 21-CB-015166

send it by a delivery service, it must be received by the Office of Appeals in Washington, D.C. by the close of business at **5:00 p.m. Eastern Time** or be postmarked or given to the delivery service no later than September 13, 2011.

**Extension of Time to File Appeal:** Upon good cause shown, the Acting General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to [www.nlr.gov](http://www.nlr.gov), click on **File Case Documents**, enter the NLRB Case Number and follow the detailed instructions. The fax number is (202)273-4283. A request for an extension of time to file an appeal **must be received on or before September 14, 2011**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/D. BRUCE HILL  
Acting Regional Director

Enclosure

cc: (See next page)

August 31, 2011

International Union, Security, Police and Fire  
Professionals of America (SPFPA), Local  
153 (G4S Secure Solutions (USA), Inc.  
Case 21-CB-015166

cc     ACTING GENERAL COUNSEL  
         OFFICE OF APPEALS  
         FRANKLIN COURT BUILDING  
         NATIONAL LABOR RELATIONS BOARD  
         1099 14<sup>TH</sup> STREET, NW  
         WASHINGTON, DC 20570

MICHAEL J. AKINS, ATTORNEY AT LAW  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
THE CADILLAC TOWER  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

INTERNATIONAL UNION, SECURITY,  
POLICE, AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA), LOCAL 153  
25510 KELLY RD  
ROSEVILLE, MI 48066-4932

G4S SECURE SOLUTIONS (USA) INC.  
900 LANE AVE., STE 114  
CHULA VISTA, CA 91914-3515

DBH/ep

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: Acting General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the Acting General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

International Union, Security, Police and Fire Professionals of America (SPFPA), Local 153  
\_\_\_\_\_  
Case Name(s).

Case 21-CB-015166

\_\_\_\_\_  
Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

\_\_\_\_\_  
*(Signature)*



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE

Case <b>21-CB-091150</b>	Date Filed <b>10-11-12</b>
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INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name <b>International Union, Security, Police and Fire Professionals of America (SPFPA)</b>	b. Union Representative to contact <b>Gordon A. Gregory, General Counsel, International Union, SPFPA</b>	
c. Address (Street, city, state, and ZIP code) <b>25510 Kelly Road Roseville, MI 48066</b>	d. Tel. No. <b>586-772-7250</b>	e. Cell No.
	f. Fax No. <b>586-772-9644</b>	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <b>(3)</b> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the last six (6) months, the above-named labor organization has failed and refused to bargain in good faith in violation of Section 8(b)(3) of the Act.

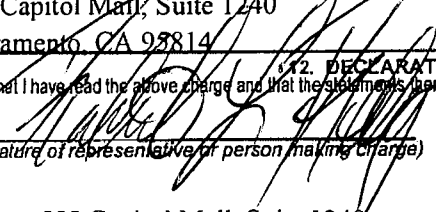
3. Name of Employer <b>Universal Protection Service</b>	4a. Tel. No. <b>714-619-9724</b>	b. Cell No.
	c. Fax No. <b>714-619-9754</b>	d. e-Mail

5. Location of plant involved (street, city, state and ZIP code) <b>1551 North Tustin Ave., Suite 650, Santa Ana, CA 92705</b>	6. Employer representative to contact <b>Robert L. Rediger, Esq.</b>
-----------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------

7. Type of establishment (factory, mine, wholesaler, etc.) <b>Security Agency</b>	8. Identify principal product or service <b>Security</b>	9. Number of workers employed <b>Approx. 115</b>
--------------------------------------------------------------------------------------	-------------------------------------------------------------	-----------------------------------------------------

10. Full name of party filing charge <b>Robert L. Rediger, Esq. Rediger, McHugh &amp; Owensby, LLP</b>	11a. Tel. No. <b>916-442-0033</b>	b. Cell No.
	c. Fax No. <b>916-498-1246</b>	d. e-Mail <b>rrediger@rmlaw.net</b>

11. Address of party filing charge (street, city, state and ZIP code.) <b>555 Capitol Mall, Suite 1240 Sacramento, CA 95814</b>
----------------------------------------------------------------------------------------------------------------------------------------

I declare that I have read the above charge and that the statements herein are true to the best of my knowledge and belief.  
By  **Robert L. Rediger, Attorney**  
(signature of representative of person making charge) (Print/type name and title or office, if any)

Address **555 Capitol Mall, Suite 1240  
Sacramento, CA 95814** (date) **10/09/2012**

Tel. No. <b>916-442-0033</b>
Cell No.
Fax No. <b>916-498-1246</b>
e-Mail <b>rrediger@rmlaw.net</b>

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S FIGUEROA ST  
FL 9  
LOS ANGELES, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5204  
Fax: (213)894-2778

December 13, 2012

GORDON A. GREGORY, GENERAL COUNSEL  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
65 CADILLAC SQ, STE 3727  
DETROIT, MI 48226-2893

Re: International Union, Security, Police  
and Fire Professionals of America  
(SPFPA) (Universal Protection Service)  
Case 21-CB-091150

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the  
above matter.

Very truly yours,

*Olivia Garcia*

OLIVIA GARCIA  
Regional Director

cc: (See next page.)

International Union, Security, Police  
and Fire Professionals of America  
(SPFPA) (Universal Protection Service)  
Case 21-CB-091150

- 2 -

December 13, 2012

cc: WILLIAM L. HICKEY, INTERNATIONAL  
PRESIDENT  
INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA), INTERNATIONAL UNION  
25510 KELLY RD.  
ROSEVILLE, MI 48066-4911

ROBERT L. REDIGER, ATTORNEY AT LAW  
REDIGER, MCHUGH & OWENSBY, LLP  
555 CAPITOL MALL, STE 1240  
SACRAMENTO, CA 95814-4603

UNIVERSAL PROTECTION SERVICE  
1551 NORTH TUSTIN AVE, STE 650  
SANTA ANA, CA 92705-8664

OG/cw

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		21-CB-111146	08/13/2013
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police Fire Professionals Of America (SPFPA)		b. Union Representative to Contact David Hickey International President	
c. Address 25510 Kelly Road, Roseville, MI 48066-4932		d. Tel. No. (586)-772-7250	e. Cell No.
		f. Fax No. (586)-772-9644	g. e-Mail dlhickey01@aol.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsections (1) (A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Within the past six months, the above-named labor organization, through its agents, officers, and representatives, has refused to release information needed for members to shift health plans for arbitrary, capricious and discriminatory reasons in violation of Section 8(b)(1)(A) of the Act.			
3. Name of Employer Asset Security		4a. Tel. No. (760)-336-4715	4b. Cell No. (760)-562-1472
		4c. Fax No.	4d. e-Mail alegler@ec-spc.com
5. Location of Plant involved (street, city, state, and ZIP code) 1115 North Imperial Avenue, El Centro CA 92243		6. Employer representative to contact Project Manager Alfred Legler	
7. Type of Establishment (factory, mine, wholesaler) Detention services	8. Principal product or service Detention services	9. Number of Workers employed 400	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By: (b) (6), (b) (7)(C)		(b) (6), (b) (7)(C), Individual	Tel. No. (b) (6), (b) (7)(C)
(signature of representative or person making charge)		Print/type name and title or office, if any)	Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)		Date: August 13, 2013	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
 PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)

2013 AUG 13 PM 1:38  
 LOS ANGELES  
 NLRB



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5204  
Fax: (213)894-2778

September 27, 2013

(b) (6), (b) (7)(C)

Re: SECURITY POLICE FIRE  
PROFESSIONALS OF AMERICA  
(SPFPA) (Asset Security)  
Case 21-CB-111146

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESSIONALS OF AMERICA (SPFPA) has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of the lack of cooperation by the Charging Party.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision to dismiss your charge was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **October 11, 2013**. If you file the appeal electronically, we will consider it timely filed if you send the appeal together with any other documents you want us to consider through the Agency's website so the transmission is completed by **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or send it by a delivery service, it must be received by the Office of Appeals in Washington, D.C. by the close of business at **5:00 p.m. Eastern Time** or be postmarked or given to the delivery service no later than October 10, 2013.

**Extension of Time to File Appeal:** Upon good cause shown, the General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. To file electronically, go to

[www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the NLRB Case Number and follow the detailed instructions. The fax number is (202)273-4283. A request for an extension of time to file an appeal **must be received on or before October 11, 2013**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

OLIVIA GARCIA  
Regional Director

Enclosure

cc      GENERAL COUNSEL  
         OFFICE OF APPEALS  
         FRANKLIN COURT BUILDING  
         NATIONAL LABOR RELATIONS  
         BOARD  
         1099 14<sup>TH</sup> STREET, NW  
         WASHINGTON, DC 20570  
  
         WILLIAM L. HICKEY,  
         INTERNATIONAL PRESIDENT  
         INTERNATIONAL UNION,  
         SECURITY, POLICE AND FIRE  
         PROFESSIONALS OF AMERICA  
         (SPFPA), INTERNATIONAL UNION  
         25510 KELLY RD  
         ROSEVILLE, MI 48066-4932

SECURITY POLICE FIRE  
PROFESSIONALS OF AMERICA  
(SPFPA) (Asset Security)  
Case 21-CB-111146

- 3 -

September 27, 2013

GORDON A. GREGORY, GENERAL  
COUNSEL  
GREGORY MOORE JEAKLE &  
BROOKS PC  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

ASSET SECURITY  
1115 NORTH IMPERIAL AVENUE  
EL CENTRO, CA 92243



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*

-UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
<b>CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS</b>		21-CB-118927	12-12-13
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name International Union, Security Police and Fire Professionals of America (SPFPA), Local Union No. 3		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 25510 Kelly Road Roseville MI 48066		c. Tel. No. (586)772-7250	e. Cell No.
		f. Fax No. (586)772-9644	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about December 5, 2013, the above-named labor organization has restrained and coerced employees by refusing to process the grievance of (b) (6), (b) (7)(C) regarding the change in (b) (6), (b) (7)(C) work status to "on-call limited" and (b) (6), (b) (7)(C) removal from (b) (6), (b) (7)(C) jobsite, for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer Spectrum Security Services		4a. Tel. No. 949-812-8959	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 1633 E. 4 <sup>th</sup> Street #238 Santa Ana, CA 92701		6. Employer representative to contact Henry Lewis	
7. Type of Establishment (factory, mine, wholesaler)	8. Principal product or service Security services	9. Number of Workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C) [REDACTED]			
12. DECLARATION			
(b) (6), (b) (7)(C) I declare that the statements therein are true to the best of my knowledge and belief.			
		(b) (6), (b) (7)(C) An Individual	Tel No. (b) (6), (b) (7)(C)
			Cell No. (b) (6), (b) (7)(C)
		Print/type name and title or office, if any)	Fax No.
Address: (b) (6), (b) (7)(C) [REDACTED]		Date: December 12, 2013	e-Mail

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**  
**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

1-954181231



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5204  
Fax: (213)894-2778

February 7, 2014

MICHAEL J. AKINS, ATTORNEY AT LAW  
GREGORY MOORE JEAKLE & BROOKS PC  
65 CADILLAC SQ, STE 3727  
DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA), LOCAL UNION  
NO. 3  
(Spectrum Security Services)  
Case 21-CB-118927

Dear Mr. Akins:

This is to advise you that I have approved the withdrawal of the charge in the  
above matter.

Very truly yours,

*Olivia Garcia*

OLIVIA GARCIA  
Regional Director

cc: (See next page.)

INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA), LOCAL UNION  
NO. 3  
(Spectrum Security Services)  
Case 21-CB-118927

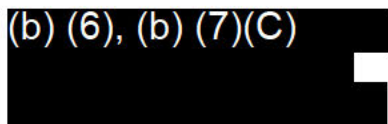
- 2 -

February 7, 2014

cc: WILLIAM L. HICKEY, INTERNATIONAL  
PRESIDENT  
INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA), LOCAL UNION NO. 3  
25510 KELLY ROAD  
ROSEVILLE, MI 48066

SPECTRUM SECURITY SERVICES  
1633 EAST FOURTH STREET, #238  
SANTA ANA, CA 92701

(b) (6), (b) (7)(C)

A large black rectangular redaction box covers the majority of the text in this block. The text "(b) (6), (b) (7)(C)" is visible at the top left of the box.

OG/cw



UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case 21-CB-134461	Date filed 08/08/2014
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police Fire Professionals of America		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address P.O. Box 950 El Centro, CA 92344		d. Tel. No. (512) 652-7061	e. Cell No. (b) (6), (b) (7)(C)
		f. Fax No. (512) 339-6662	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1) (A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Within the last six months, the above-named labor organization, through its agent and representative, The Boon Group, has failed and refused to pay insurance premiums on behalf of its member (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) filed a complaint on behalf of all the members with the California State Labor Commissioner against past Union board members.			
3. Name of Employer Asset Protection and Security Services, LP		4a. Tel. No. (760) 604-2338	4b. Cell No. (760) 562-1472
		4c. Fax No.	4d. e-Mail alagier@ec-spc.com
5. Location of Plant involved (street, city, state, and ZIP code) 1115 N. Imperial Avenue El Centro, CA 92243		6. Employer representative to contact Alfred Legler ASSET Project Manager	
7. Type of Establishment (factory, mine, wholesaler) security services	8. Principal product or service security services	9. Number of Workers employed 500	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)	
	11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)	
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C), Individual	Tel. No.	
		Cell No. (b) (6), (b) (7)(C)	
(Signature of representative of person making charge)	Print/type name and title or office, if any	Fax No.	
Address: (b) (6), (b) (7)(C)	Date: August 8, 2014	e-Mail (b) (6), (b) (7)(C)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case	Date filed
		21-CB-134461	9-25-14
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police Fire Professionals Of America		b. Union Representative to Contact Gordon A. Gregory Attorney at Law	
c. Address P.O. Box 950 El Centro, CA 92344		d. Tel. No. (313)964-5600	e. Cell No.
		f. Fax No. (313)964-2125	g. e-Mail Gordon@unionlaw.net
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1) (A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
Within the last six months, the above-named labor organization, through its agent and representative, The Boon Group, has intentionally failed to adjust the medical premiums deducted from its member (b) (6), (b) (7)(C) gross earnings because (b) (6), (b) (7)(C) filed a complaint with the International Union and assisted with a Department of Labor investigation against past Union board members for alleged misappropriation of Union funds.			
3. Name of Employer Asset Protection and Security Services, LP/Ahtna Technical Services, Inc., A Joint Employer		4a. Tel. No. Asset Protection (760)604-2338 Ahtna (907) 334-9664	4b. Cell No. Ahtna - (907) 223-4488
		4c. Fax No. Asset Protection (361) 906-1844 Ahtna (907) 272-6356	4d. e-Mail Asset Protection - r.berrglund@asset-security-pro.com Ahtna - ccox@cc-spc.com
5. Location of Plant involved (street, city, state, and ZIP code) Asset Protection 1115 North Imperial Avenue El Centro, CA 92243 Ahtna Technical Services, Inc. El Centro Service Processing Center 1115 North Imperial Avenue El Centro, CA 92243		6. Employer representative to contact Ronald Berglund, Human Resources Manager Asset Protection and Security Services, LP  Eric Cox, Project Manager Ahtna Technical Services, Inc.	
7. Type of Establishment (factory, mine, wholesaler) security services	8. Principal product or service security services	9. Number of Workers employed 500	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
By (b) (6), (b) (7)(C)		Tel. No.	
(b) (6), (b) (7)(C) charge		Cell No. (b) (6), (b) (7)(C)	
		Fax No.	
Address: (b) (6), (b) (7)(C)		Date: 09-18-14	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

October 30, 2014

(b) (6), (b) (7)(C)

Re: SECURITY POLICE FIRE  
PROFESSIONALS OF AMERICA  
(Asset Protection and Security Services,  
LP/Ahtna Technical Services, Inc., A Joint  
Employer)  
Case 21-CB-134461

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESSIONALS OF AMERICA has violated the National Labor Relations Act.

**Decision to Dismiss:** Your charge alleges that the Union, through its agent, The Boon Group, intentionally failed to adjust the medical premiums deducted from your gross earnings because you filed a complaint with the International Union and assisted with a Department of Labor investigation against past Local Union board members for alleged misappropriation of Union funds. However, the investigation revealed that although your request to The Boon Group for reduced medical premiums was submitted on January 1, 2014, the open enrollment period for changes did not commence until March 2014. As a result, your request was not initially timely, but was processed subsequently, with the consequence that your premiums were reduced in a time frame consonant with a request made within the parameters of the open season. Furthermore, there is no evidence to establish that The Boon Group is an agent or representative of the Union or the International. Moreover, the International was aware of your participation in the DOL investigation and facilitated your assistance in that investigation. Finally, there is no evidence of animus or hostility on the Union's part towards you for your participation in that investigation, nor that the Union in any way manipulated the processing of your request to The Boon Group for reduced premiums.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.



**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **November 13, 2014**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 12, 2014. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 13, 2014**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 13, 2014, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at

SECURITY POLICE FIRE  
PROFESSIONALS OF AMERICA  
(Asset Protection and Security Services,  
LP/Ahtna Technical Services, Inc., A Joint  
Employer)  
Case 21-CB-134461

- 3 -

October 30, 2014

a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/S/OLIVIA GARCIA  
Regional Director

Enclosure

cc: GORDON A. GREGORY, GENERAL COUNSEL  
GREGORY, MOORE, JEAKLE, & BROOKS, P.C.  
56 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

SECURITY POLICE FIRE PROFESSIONALS  
OF AMERICA  
P.O. BOX 950  
EL CENTRO, CA 92344

ASSET PROTECTION AND SECURITY SERVICES, LP  
1115 NORTH IMPERIAL AVENUE  
EL CENTRO, CA 92243

AHTNA TECHNICAL SERVICES, INC.  
EL CENTRO SERVICE PROCESSING CENTER  
1115 NORTH IMPERIAL AVENUE  
EL CENTRO, CA 92243

OG/hta

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
Room 8820, 1099 - 14th Street, N.W.  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

SECURITY POLICE FIRE PROFESSIONALS OF AMERICA  
(Asset Protection and Security Services, LP/Ahtna  
Technical Services, Inc., A Joint Employer)

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Case Name(s).

21-CB-134461

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

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*(Signature)*

INTERNET  
FORM NLRB-008  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE

Case	Date Filed
21-CB-156725	07-24-15

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name SPFPA LOCAL 52		b. Union Representative to contact BEN MORANO	
c. Address (Street, city, state, and ZIP code) 3007 N IMPERIAL AVE EL CENTRO, CA 92243		d. Tel. No.	e. Cell No. (760) 535-1305
		f. Fax No.	g. e-Mail bmorano.spfpa.52@srcglobal.net
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) LOCAL 52 (b) (6), (b) (7)(C) (SPFPA) WAS NEGLIGENT IN HANDLING OF MY ENTITLEMENT TO A FAIR REPRESENTATION REGARDING MY TERMINATION			
3. Name of Employer PARAGON SYSTEMS		4a. Tel. No.	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) 1699 CARR RD CALICO, CA 92231		6. Employer representative to contact	
7. Type of establishment (factory, mine, wholesaler, etc.) FEDERAL CONTRACT (DHS/FPS) PRIVATE SECURITY	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.	b. Cell No. (b) (6), (b) (7)(C)	
	c. Fax No.	d. e-Mail	
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
I declare that I am (b) (6), (b) (7)(C) and that the statements therein are true and correct to the best of my knowledge and belief.		Tel. No.	
By (signature) (b) (6), (b) (7)(C) person making charge		(b) (6), (b) (7)(C)	
		Fax No.	
Address (b) (6), (b) (7)(C) (date) 7/16/2015		e-Mail	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

October 14, 2015

GORDON A. GREGORY, GENERAL COUNSEL  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
65 CADILLAC SQ, STE 3727  
DETROIT, MI 48226-2893

Re: SECURITY POLICE AND FIRE  
PROFESSIONALS OF AMERICA  
LOCAL 52  
(Paragon Systems)  
Case 21-CB-156725

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the  
above matter.

Very truly yours,

*Olivia Garcia*

OLIVIA GARCIA  
Regional Director

cc:

(b) (6), (b) (7)(C)

PARAGON SYSTEMS  
1699 CARR RD  
CALEXICO, CA 92231-9703

PARAGON SYSTEMS INC.  
13655 DULLES TECHNOLOGY DRIVE SUITE 100  
HERNDON, VA 20171-4634

SECURITY POLICE FIRE PROFESSIONALS OF  
AMERICA INTERNATIONAL UNION, LOCAL 52  
3007 NORTH IMPERIAL AVENUE  
EL CENTRO, CA 92243-6311

OG/cw

UNITED STATES OF AMERICA		DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD		Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		21-CB-176574	05-17-2016
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security Police Fire Professionals of America Local 3		b. Union Representative to Contact Dennis Blair, President	
c. Address P.O. Box 14148 Van Nuys, CA 91409		d. Tel. No.	e. Cell No. 909-717-1125
		f. Fax No. 909-349-0771	f. e-Mail dblairlocal3@gmail.com
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b)(1)(A) subsection(s) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Within the past six months the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing and/or failing to process the termination grievance of (b) (6), (b) (7)(C) for arbitrary or discriminatory reasons or in bad faith. Within the past six months the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by taking and/or obtaining retirement benefits/funds from (b) (6), (b) (7)(C) for arbitrary or discriminatory reasons or in bad faith.</p>			

3. Name of Employer Paragon Systems, Inc.		4a. Tel. No. 626-966-5544	4b. Cell No.
		4c. Fax No. 626-966-2186	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code). 750 Terrado Plz #103, Covina, CA 91723		6. Employer representative to contact Major Manuel Arriaga	
7. Type of Establishment (factory, mine, wholesaler) Security Service Provider	8. Principal product or service Security Services		9. Number of Workers employed 100+
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code)		(b) (6), (b) (7)(C)	

## 12. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By: (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) An Individual	Tel No. (b) (6), (b) (7)(C)
(sig) (b) (6), (b) (7)(C) making charge)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date: 05/15/2016	Fax No.
		e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information (b) (6), (b) (7)(C) NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

August 31, 2016

(b) (6), (b) (7)(C)

Re: INTERNATIONAL UNION, SECURITY  
POLICE FIRE PROFESSIONALS OF  
AMERICA (SPFPA) AND LOCAL  
UNION NO. 3, SPFPA  
(Paragon Systems, Inc.)  
Case 21-CB-176574

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that SECURITY POLICE FIRE PROFESSIONALS OF AMERICA LOCAL 3 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges that the Union violated Section 8(b)(1)(A) of the Act by failing and refusing to process your termination grievance for arbitrary or discriminatory reasons or in bad faith. The investigation revealed that the Union accepted and processed your termination grievance. The evidence adduced established that the Union investigated the merits of the grievance and determined that the grievance lacked merit. As a result, the Union decided not to pursue the grievance further. Additionally, the investigation established that any evidence that the Union may have harbored any animus or hostility towards you played no role in its decision regarding your grievance. Accordingly, the investigation did not establish that the Union acted in an arbitrary, discriminatory, or bad-faith manner.

Finally, with respect to your claim that the Union took or obtained retirement benefits/funds from you for arbitrary or discriminatory reasons, or in bad faith, the investigation established that this allegation is time-barred by Section 10(b) of the Act inasmuch as you were aware that money was missing from your 401(k) account in October 2013. Thus, based on the investigation, it has been concluded that further proceedings on the charge are not warranted.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.



**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **September 14, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than September 13, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before September 14, 2016**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after September 14, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to

INTERNATIONAL UNION, SECURITY - 3 -  
POLICE FIRE PROFESSIONALS OF  
AMERICA (SPFPA) AND LOCAL UNION  
NO. 3, SPFPA  
(Paragon Systems, Inc.)  
Case 21-CB-176574

August 31, 2016

keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/WILLIAM M. PATE  
Acting Regional Director

Enclosure

cc: PARAGON SYSTEMS, INC.  
750 TERRADO PLAZA, #103  
COVINA, CA 91723-3419

MICHAEL J. AKINS, ATTORNEY AT LAW  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

SECURITY POLICE FIRE PROFESSIONALS OF  
AMERICA LOCAL 3  
PO BOX 14148  
VAN NUYS, CA 91409-4148

WMP/fb

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

INTERNATIONAL UNION, SECURITY POLICE FIRE PROFESSIONALS OF AMERICA  
(SPFPA) AND LOCAL UNION NO. 3, SPFPA (Paragon Systems, Inc.)

Case Name(s).

Case 21-CB-176574

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

\_\_\_\_\_  
*(Signature)*



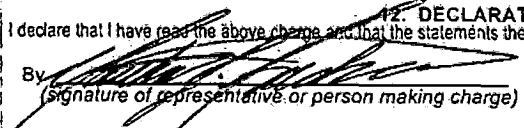
UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE	
Case <b>21-CB-190384</b>	Date Filed <b>12/21/16</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT		
a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its local 52		b. Union Representative to contact Michael J. Akins, Attorney
c. Address (Street, city, state, and ZIP code) 25510 Kelly Rd Roseville, MI 48066-4994		d. Tel. No. 313-964-5600
		e. Cell No. 810-287-9535
		f. Fax No. 313-964-2125
		g. e-Mail mike@unionlaw.net
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (3) and all other subsections that apply of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Failure to bargain in good faith: Failure to respond to information requests, failure to provide information requested, and/or delay in providing information requested. Requests made include but are not limited to: October 23, 2016, November 3, 2016, November 14, 2016, a second request on November 14, 2016, and December 21, 2016. Refusal to Bargain: The Union conditioned future negotiations on engagement of FMCS mediator. The Union lied to FMCS mediator that Company had agreed to engage FMCS mediator.		

3. Name of Employer Management & Training Corporation ("MTC")		4a. Tel. No. 801-693-2602	b. Cell No. 808-221-0909
		c. Fax No. 801-693-2900	d. e-Mail martha.amundsen@mtctrains.com
5. Location of plant involved (street, city, state and ZIP code) 1572 Gateway Rd., P.O. Box 1890 Calexico, CA 92231		6. Employer representative to contact Martha J. Amundsen	
7. Type of establishment (factory, mine, wholesaler, etc.) Immigration & Customs Enforcement Detention Center	8. Identify principal product or service Detention	9. Number of workers employed Approximately 9,000	
10. Full name of party filing charge Martha J. Amundsen, Labor and Employment Counsel, MTC		11a. Tel. No. 801-693-2602	b. Cell No. 808-221-0909
		c. Fax No. 801-693-2900	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.) 500 North Marketplace Dr., Centerville, UT 84014			

12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By:  <b>MARTHA J. AMUNDSEN</b> (signature of representative or person making charge) (Print/type name and title or office, if any) <b>LABOR AND EMPLOYMENT COUNSEL, MTC</b> 500 North Marketplace Dr., Centerville, UT 84014 Address _____ (date) 12/21/16		Tel. No. 801-693-2602
		Cell No. 808-221-0909
		Fax No. 801-693-2900
		e-Mail martha.amundsen@mtctrains.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS****DO NOT WRITE IN THIS SPACE**Case  
21-CB-190384Date Filed  
**01-25-2017****AMENDED**

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name  
International Union, Security, Police and Fire Professionals of America  
(SPFPA) and its local 52b. Union Representative to contact  
Michael J. Akins, Attorneyc. Address (Street, city, state, and ZIP code)  
25510 Kelly Rd.  
Roseville, MI 48066-4994d. Tel. No.  
313-964-5600e. Cell No.  
810-287-9535f. Fax No.  
313-964-2125g. e-Mail  
mike@unionlaw.neth. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (3) and all other subsections that apply of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Failure to bargain in good faith. Failure to respond to information requests, failure to provide information requested, and/or delay in providing information requested. Requests made include, but are not limited to: October 23, 2016, October 27, 2016, November 3, 2016, November 14, 2016, a second request on November 14, 2016, and December 21, 2016. Refusal to Bargain and/or Failure to Bargain in Good Faith: The Union conditioned future negotiations on engagement of FMCS mediator; The Union lied to FMCS that the Company had agreed to engage FMCS mediator and; A Union Negotiating Committee Representative failed to recognize the Company appointed labor representative and solicited the Company to directly deal with bargaining unit members.

## 3. Name of Employer

Management &amp; Training Corporation ("MTC")

4a. Tel. No.  
801-693-2602b. Cell No.  
808-221-0909c. Fax No.  
801-693-2900d. e-Mail  
martha.amundsen@mtctrains.com5. Location of plant involved (street, city, state and ZIP code)  
1572 Gateway Rd., P.O. Box 1890  
Calexico, CA 922316. Employer representative to contact  
Martha J. Amundsen7. Type of establishment (factory, mine, wholesaler, etc.)  
Immigration & Customs Enforcement Detention Center8. Identify principal product or service  
Detention9. Number of workers employed  
Approximately 9,00010. Full name of party filing charge  
Martha J. Amundsen11a. Tel. No.  
801-693-2602b. Cell No.  
808-221-0909c. Fax No.  
801-693-2900d. e-Mail  
See above11. Address of party filing charge (street, city, state and ZIP code.)  
500 North Marketplace Dr., Centerville, UT 84014**12. DECLARATION**

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By:   
(signature of representative or person making charge)Labor and Employment Counsel  
(Print/type name and title or office, if any)  
**MARTHA J. AMUNDSEN**

Address 500 North Marketplace Dr., Centerville, UT 84014 (date) 1/25/17

Tel. No.  
801-693-2602Cell No.  
808-221-0909Fax No.  
801-693-2900e-Mail  
martha.amundsen@mtctrains.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

February 23, 2017

MARTHA AMUNDSEN, LABOR AND  
EMPLOYMENT COUNSEL, MTC  
MANAGEMENT & TRAINING CORPORATION  
500 N MARKET PLACE DR  
CENTERVILLE, UT 84014

Re: INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA) AND ITS LOCAL 52  
(Management & Training Corporation  
"MTC")  
Case 21-CB-190384

Dear Ms. Amundsen:

We have carefully investigated and considered your charge that INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52 has violated the National Labor Relations Act.

**Decision to Partially Dismiss:** Based on that investigation, I have decided to dismiss the portions of your charge alleging that the Union failed to provide or delayed in providing information requested on October 27, 2016, November 3 and 14, 2016, and December 21, 2016; and the portions of your charge alleging that the Union unlawfully conditioned future negotiations on the engagement of an FMCS mediator; that the Union lied to the FMCS by stating that the Employer had agreed to engage an FMCS mediator; and that the Union failed to recognize the company-appointed labor representative when a Union negotiating committee representative solicited the Employer to directly deal with bargaining unit members. In this regard, the investigation failed to establish that the Union's failure to respond to the Employer's October 27, 2016 request for a list of Union stewards was unlawful. It does not appear that there were any designated Union stewards at the time and the relevance for this request was not communicated to the Union. As to the November 3 and 14, 2016 emails in which the Employer asked the Union if it was the Union's position that it would not negotiate without a mediator, the Union's failure to provide its position in response to this question does not constitute an unlawful failure to provide information. With respect to the Employer's November 14, 2016 request for a copy of the Union's email to the FMCS mediator in which the Union allegedly advised the mediator that the Employer believed mediation would be advantageous in negotiations, it does not appear that this information is relevant or necessary to the Employer's collective bargaining functions. Finally, the December 21, 2016 request was a reminder concerning the outstanding requests described above, and not a separate request for other information that the Union failed to provide.

As to the allegations that the Union conditioned future negotiations on the engagement of a mediator and lied to the FMCS by stating that the Employer had agreed to mediation, the investigation disclosed that while the Union stated in a November 3, 2016 email that future negotiations would depend on the availability of a mediator, the Employer rejected the use of a mediator and the Union has not since reiterated this stance or otherwise insisted on the presence of a mediator in negotiations. Finally, as to the allegation that the Union unlawfully failed to recognize the Employer's labor representative and solicited the Employer to engage in direct dealing with unit members, the investigation disclosed that while an employee bargaining committee member asked the Employer for a meeting to discuss the upcoming shift rotation, the Employer denied that request, that no such meeting was held, and that the Employer and Union discussed and exchanged proposals over the matter subsequent to the employee's request. Accordingly, it was concluded that further proceedings on these allegations are not warranted.

The other portion of the charge, alleging that the Union failed to provide the Employer with information requested on October 23, 2016, in violation of Section 8(b)(3), remains outstanding.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at [www.nlrb.gov](http://www.nlrb.gov), click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

**Appeal Due Date:** The appeal is due on **March 9, 2017**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 8, 2017. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 9, 2017**. The request may be filed



February 23, 2017

electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 9, 2017, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/WILLIAM B. COWEN  
Regional Director

Enclosure

cc: WILLIAM L. HICKEY, INTERNATIONAL PRESIDENT  
INTERNATIONAL UNION, SECURITY POLICE AND  
FIRE PROFESSIONALS OF AMERICA  
(SPFPA) AND ITS LOCAL 52  
25510 KELLY DR.  
ROSEVILLE, MI 28066

GORDON A. GREGORY, ATTORNEY AT LAW.  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
INTERNATIONAL UNION, SPFPA  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2822

MANAGEMENT & TRAINING CORPORATION  
("MTC")  
1572 GATEWAY RD  
CALEXICO, CA 92231-9532

WBC/fb

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

April 19, 2017

MARTHA AMUNDSEN,  
LABOR AND EMPLOYMENT  
COUNSEL, MTC  
MANAGEMENT & TRAINING  
CORPORATION  
500 N MARKET PL DR  
CENTERVILLE, UT 84014

Re: International Security Police and Fire  
Professionals of America (SPFPA) and its  
Local 52 (Management & Training  
Corporation ("MTC"))  
Case 21-CB-190384

Dear Ms. Amundsen:

Your appeal from the Regional Director's partial refusal to issue complaint has been carefully considered. The appeal is denied. You assert that the Union violated Section 8(b)(3) of the National Labor Relations Act by not informing the Employer that no information existed that was responsive to the Employer's information request. Specifically, the Employer asked for a list of stewards, and the Union did not inform the Employer that no stewards had been appointed.

Section 8(b)(3) of the Act holds that it is unlawful for a union to refuse to bargain collectively with an employer. Under this section, a union has a duty to provide information to an employer that is relevant to the collective bargaining relationship between the parties. Information about terms and conditions of employment is presumptively relevant and must be provided upon request. *Iron Workers Local 207 (Steel Erecting Contractors)*, 319 NLRB 87, 90-91 (1995). Unions must provide information to a requesting employer that is relevant to the policing or administration of the parties' collective bargaining agreement. *Teamsters Local 500 (Acme Markets)*, 340 NLRB 251, 252-253 (2003). Unions must also provide information that is relevant for the purpose of contract negotiations. *Washington Beef, Inc.*, 328 NLRB 612, 617-618 (1999). A union must respond to a relevant information request in a timely manner. *Woodland Clinic*, 331 NLRB 735, 736 (2000). This obligation includes a requirement to inform the employer that the requested information does not exist. See *Postal Service*, 332 NLRB 635, 638-639 (2000).

Here, the evidence failed to establish that a list of stewards was relevant to the employees' terms and conditions of employment, or that the information was relevant for the purpose of contract negotiations. In this regard, insufficient evidence was presented to establish that the parties were bargaining over any provisions relating to stewards or to the representation

of employees during investigatory meetings. Further, the parties do not have a collective bargaining agreement. Therefore, the Employer did not need the information in order to administer any provisions of such agreement. You have asserted that the list of stewards was relevant because it would allow the Employer to comply with employees' statutory right to refuse to submit without union representation to an investigatory interview. This statutory right inheres in Section 7 of the Act, which guarantees the right of employees to act in concert for "mutual aid and protection." *NLRB v. J. Weingarten*, 420 U.S. 251, 256 – 257 (1975). Thus, the Employer is seeking the list of stewards to comply with employees' Section 7 rights and not in furtherance of the parties' collective bargaining relationship. Therefore, the evidence fails to establish that the Union has an obligation to provide such information to the Employer under Section 8(b)(3) of the Act.

In the appeal, you allude to a Section 8(b)(3) case filed in another Regional Office. We have reviewed that case and determined that its facts are dissimilar to the facts in the instant case. In the instant case, the parties do not have a collective bargaining agreement. Thus, we could not conclude that the Union had an obligation to provide the information. Accordingly, further proceedings on this allegation were deemed unwarranted.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By: \_\_\_\_\_

Mark E. Arbesfeld, Acting Director  
Office of Appeals

cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
888 S FIGUEROA ST FL 9  
LOS ANGELES, CA 90017-5449

WILLIAM L. HICKEY  
INTERNATIONAL PRESIDENT  
INTERNATIONAL UNION, SECURITY POLICE  
AND FIRE PROFESSIONALS OF AMERICA  
(SPFPA) AND ITS LOCAL 52  
25510 KELLY DR  
ROSEVILLE, MI 28066

International Union, Security Police and Fire  
Professionals of America (SPFPA) and its  
Local 52 (Management & Training  
Corporation ("MTC"))  
Case 21-CB-190384

-3

MICHAEL J. AKINS, ESQ.  
GREGORY, MOORE, JEAKLE &  
BROOKS, P.C.  
INTERNATIONAL UNION, SPFPA  
65 CADILLAC SQ STE 3727  
DETROIT, MI 48226-2822

MANAGEMENT & TRAINING CORPORATION  
("MTC")  
1572 GATEWAY RD  
CALEXICO, CA 92231-9532

kh



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

May 25, 2017

MARTHA AMUNDSEN  
LABOR AND EMPLOYMENT COUNSEL  
MANAGEMENT & TRAINING CORPORATION  
500 N MARKET PLACE DR  
CENTERVILLE, UT 84014

Re: International Union, Security Police and  
Fire Professionals of America (SPFPA) and  
its Local 52 (Management & Training  
Corporation ("MTC"))  
Case 21-CB-190384

Dear Ms. Amundsen:

We have carefully reviewed your April 28, 2017 Motion for Reconsideration of our April 19, 2017 decision denying the appeal in this case. We conclude that a departure from our original decision is unwarranted because the evidence is insufficient to establish a violation of Section 8(b)(3) of the National Labor Relations Act.

The evidence established that on November 24, 2015 the Union was certified as the collective bargaining representative of the Employer's detention officers. Thereafter, the parties engaged in bargaining for an initial contract. On October 27, 2016, the Employer requested a list of the names of the Union's stewards. No evidence was submitted to establish that during this time period the subject of stewards or investigatory interviews were discussed at the bargaining table. Further, the Employer did not provide the Union with an explanation for its blanket request for the names of the stewards, nor did the Employer provide any context for this request. The Union did not reply to the Employer's October 27<sup>th</sup> request for information. As stated in our denial of the appeal, we concluded that at the time of the request, the evidence showed that the parties did not have an existing contract, were not negotiating over the subject of stewards or investigatory interviews and did not have any stewards at the time of the request. Based on these specific facts, unlike the cases cited in your motion, we concluded that the relevancy of the Employer's information request to any term and condition of employment or specific contract provision was not communicated to the Union.

We conclude that *Piggly Wiggly Midwest*, 357 NLRB 2344 (2012) is distinguishable from the instant case. In that case, the circumstances surrounding the union's information request made its relevancy obvious to the employer. Here, the circumstances fail to demonstrate the requested information's relevance to the scope of the parties' bargaining obligations. Furthermore, we conclude that *Total Security Management*, 364 NLRB No.106 (2016) is not applicable to the instant case. You have not demonstrated how an employer's obligation to bargain over the issuance of discretionary discipline in the context of a newly certified unit is

analogous the facts in the instant case. Therefore, we conclude that the Union did not violate Section 8(b)(3) of the Act by not replying to the Employer's request for information.

Also, in your motion, you assert that the disposition of a Section 8(b)(3) case in another Regional Office required the finding of merit in the instant case. A review of the other case established that the parties had expired collective bargaining agreements, each of which contained a specific provision requiring the union to provide the employer with the written names of the stewards. Thus, the administration of the expired contracts required the union to provide the requested information. The instant case presents a different fact situation. Here, the evidence does not show that there is an expired or extant contract that the parties are administering.

Accordingly, we deny your motion and this charge allegation remains closed.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel



By: \_\_\_\_\_

Mark E. Arbesfeld, Acting Director  
Office of Appeals

cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
888 S FIGUEROA ST FL 9  
LOS ANGELES, CA 90017-5449  
  
MANAGEMENT & TRAINING  
CORPORATION ("MTC")  
500 N. MARKETPLACE PO BOX 10  
CENTERVILLE, UT 84014-0010

WILLIAM L. HICKEY  
INTERNATIONAL PRESIDENT  
INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA) AND ITS LOCAL 52  
25510 KELLY DR  
ROSEVILLE, MI 28066

MICHAEL J. AKINS, ESQ.  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
INTERNATIONAL UNION, SPFPA  
65 CADILLAC SQ STE 3727  
DETROIT, MI 48226-2822

kh



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
SETTLEMENT AGREEMENT

IN THE MATTER OF

INTERNATIONAL UNION, SECURITY POLICE AND FIRE  
PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52  
(MANAGEMENT & TRAINING CORPORATION)

Case 21-CB-190384

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:

**POSTING OF NOTICE** — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English only. Charged Party Region 3 Director Ryan J. Kelly will then sign and date those Notices and immediately post them in the Charged Party's offices located at 25510 Kelly Road, Roseville, Michigan. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting. Further, if the Charged Party maintains bulletin boards at the facility of the Employer where the alleged unfair labor practices occurred, the Charged Party shall also post Notices on each such bulletin board during the posting period. The Regional Director will send copies of the signed Notices to the Employer whose employees are involved in this case, and request that the Notices be posted in prominent places in the Employer's facility for 60 consecutive days from the date of posting. It is expressly understood that neither a copy of this Agreement nor any other side notice referencing this Agreement shall be physically posted adjacent to the Board's Notices.

**MAILING OF NOTICE** — The Charged Party will also copy and mail, at its own expense, a copy of the attached Notice in English to all members and employees who have worked at the facility located at 1572 Gateway Road, Callexico since on or about October 23, 2016. Those Notices will be signed by Ryan J. Kelly, Region 3 Director, and show the date of mailing. The Charged Party will provide the Regional Director with written confirmation of the date of mailing and a list of names and addresses of employees to whom the Notices were mailed. It is expressly understood that neither a copy of this Agreement nor any other side notice referencing this Agreement shall be sent along with the Board's Notices that are mailed to the members and employees.

**COMPLIANCE WITH NOTICE** — The Charged Party will comply with all the terms and provisions of said Notice.

**NON-ADMISSION CLAUSE** — By entering into this Settlement Agreement, the Charged Party does not admit that it has violated the National Labor Relations Act.

**SCOPE OF THE AGREEMENT** — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees and Members made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

**PARTIES TO THE AGREEMENT** — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve

*APG*  
*2/25/17*

the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

**AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY** — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.




Yes SPG No \_\_\_\_\_  
Initials Initials

**PERFORMANCE** — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees and Members, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees and Members. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

SPG  
3/28/77

**NOTIFICATION OF COMPLIANCE** — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

<b>Charged Party</b> INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) AND ITS LOCAL 52		<b>Charging Party</b> MANAGEMENT & TRAINING CORPORATION	
By:	Name and Title	Date	By: Name and Title Date
 Print Name and Title below GORDON A. GREGORY, SPFPA GENERAL COUNSEL		3/28/17	  Print Name and Title below
Recommended By:	Date	Approved By:	Date
 DAVID SELDER Field Examiner	6/14/17	 WILLIAM B. COWEN Regional Director, Region 21	6/14/2017

(To be printed and posted on official Board notice form)

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with your employer on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** refuse to provide **MANAGEMENT & TRAINING CORPORATION (EMPLOYER)** with information that is relevant and necessary to its collective bargaining functions for employees in the following appropriate unit:

Included: All full-time and regular part-time armed and unarmed detention officers employed by the Employer at 1572 Gateway Drive, Calexico, California 92231.

Excluded: All sergeants, lieutenants, office clerical employees, professional employees, managerial employees, and supervisors as defined by the Act.

**WE WILL** provide the **EMPLOYER** with the information it requested in a letter signed by Martha J. Amundsen, Labor and Employment Counsel, that was addressed to Region 3 Director Ryan J. Kelly, which is entitled MTC Information Request as to Union Proposed Benefits, that is dated October 23, 2016.

**WE WILL NOT** in any like or related manner act in derogation of our statutory duty to bargain with the **EMPLOYER** on behalf of our members.

INTERNATIONAL UNION, SECURITY, POLICE  
AND FIRE PROFESSIONALS OF AMERICA  
(SPFPA) AND ITS LOCAL 52

(Labor Organization)

(b) (6), (b) (7)(C)

Dated: March 20, 2017 By:

(b) (6), (b) (7)(C)

---

*The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to*

*LMG  
3/28/17*

*file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-866-667-NLRB (1-866-667-6572). Hearing impaired persons may contact the Agency's TTY service at 1-866-315-NLRB. You may also obtain information from the Board's website: [www.nlr.gov](http://www.nlr.gov).*

888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Telephone: (213)894-5200  
Hours of Operation: 8:30 a.m. to 5 p.m.

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**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

GBS  
3/28/17





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa Street, 9<sup>th</sup> Floor  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

September 5, 2018

GORDON A. GREGORY, ATTORNEY AT LAW  
GREGORY, MOORE, JEAKLE & BROOKS  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) AND ITS  
LOCAL 52 (Management & Training  
Corporation ("MTC"))  
Case 21-CB-190384

Dear Mr. Gregory:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

Nathan Seidman  
Acting Regional Director

cc: (Please see next page)

INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) AND ITS LOCAL  
52 (Management & Training Corporation  
("MTC")  
Case 21-CB-190384

- 2 -

September 5, 2018

cc: WILLIAM L. HICKEY,  
INTERNATIONAL PRESIDENT  
INTERNATIONAL UNION,  
SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA  
(SPFPA)  
25510 KELLY DR.  
ROSEVILLE, MI 28066

MARTHA AMUNDSEN, LABOR AND  
EMPLOYMENT COUNSEL, MTC  
MANAGEMENT & TRAINING  
CORPORATION  
500 N MARKET PLACE DR  
CENTERVILLE, UT 84014

MANAGEMENT & TRAINING  
CORPORATION ("MTC")  
500 N. MARKETPLACE  
PO BOX 10  
CENTERVILLE, UT 84014-0010

NS/nm

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

**DO NOT WRITE IN THIS SPACE**

Case	Date Filed
<b>21-CB-210102</b>	<b>11-16-2017</b>

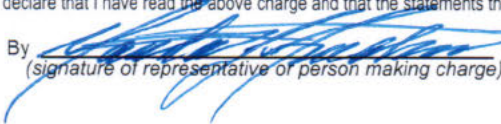
INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name International Union, Security, Police and Fire Professionals of America (SPFPA) and its local 52	b. Union Representative to contact Gordon Gregory, General Counsel 65 Cadillac Square, Suite 3727 Detroit, MI 48226	
c. Address (Street, city, state, and ZIP code)  25510 Kelly Rd. Roseville, MI 48066-4994	d. Tel. No. 313-964-5600	e. Cell No.
	f. Fax No. 313-964-2125	g. e-Mail gordon@unionlaw.net
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
Failure to bargain in good faith and failure to confer. Failure to respond to information requests made initially on or about October 4, 2017, and October 18, 2017. The Union has also engaged in bad-faith bargaining by making frivolous, unnecessary and irrelevant information requests to harass the Employer.

3. Name of Employer  Management & Training Corporation ("MTC")	4a. Tel. No. 801-693-2602	b. Cell No. 808-221-0909
	c. Fax No. 801-693-2900	d. e-Mail martha.amundsen@mtctrains.com
5. Location of plant involved (street, city, state and ZIP code) 1572 Gateway Rd., P.O. Box 1890 Calexico, CA 92231	6. Employer representative to contact  Martha J. Amundsen	
7. Type of establishment (factory, mine, wholesaler, etc.) US Immigration & Customs Enforcement Detention Ctr	8. Identify principal product or service Federal Detention Services	9. Number of workers employed Approximately 9,000
10. Full name of party filing charge  Martha J. Amundsen, Labor and Employment Counsel	11a. Tel. No. 801-693-2602	b. Cell No. 808-221-0909
	c. Fax No. 801-693-2900	d. e-Mail
11. Address of party filing charge (street, city, state and ZIP code.)  500 North Marketplace Dr., Centerville, UT 84014		

<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By  (signature of representative of person making charge) <u>MARTHA J. AMUNDSEN</u> (Print/type name and title or office, if any) LABOR AND EMPLOYMENT COUNSEL		Tel. No. 801-693-2602
		Cell No. 808-221-0909
		Fax No. 801-693-2900
		e-Mail martha.amundsen@mtctrains.com
Address <u>500 NORTH MARKETPLACE DR., CENTERVILLE, UT 84014</u> (date) <u>11-16-17</u>		

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

December 5, 2017

MR. GORDON A. GREGORY, ATTORNEY AT LAW  
GREGORY, MOORE, JEAKLE & BROOKS, P.C.  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

Re: INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) AND ITS  
LOCAL 52 (Management & Training  
Corporation)  
Case 21-CB-210102

Dear Mr. Gregory:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/WILLIAM B. COWEN  
Regional Director

cc: MARTHA AMUNDSEN, LABOR AND EMPLOYMENT COUNSEL, MTC  
MANAGEMENT & TRAINING CORPORATION  
500 N MARKET PLACE DR  
CENTERVILLE, UT 84014

MANAGEMENT & TRAINING CORPORATION ("MTC")  
1572 GATEWAY RD  
CALEXICO, CA 92231-9532

INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) AND ITS LOCAL 52  
25510 KELLY RD  
ROSEVILLE, MI 48066-4994

WBC/mr



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>21-CB-234136</b>	Date Filed <b>01-14-2019</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Chula Vista Police Officers Association		b. Union Representative to contact (b) (6), (b) (7)(C) Title: (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) PO Box 848 CA Chula Vista 91912-0848		d. Tel. No. (619) 691-5151	e. Cell No.
		f. Fax No.	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A), (3) _____ of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  --See additional page--			
3. Name of Employer City of Chula Vista		4a. Tel. No.	b. Cell No.
		c. Fax No.	d. e-Mail krogan@chulavistaca.gov
5. Location of plant involved (street, city, state and ZIP code) Chula Vista City Attorney's Office 276 4th Ave CA Chula Vista 91910-2699		6. Employer representative to contact Karen Rogan Title:	
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C)			
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) Address _____ (date) 01/13/2019 21:15:19		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



## Basis of the Charge

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

Name of the Union Agent/Representative who made the threat	Date the threats were made
multiple	multiple

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

### 8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

February 7, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association  
(City of Chula Vista)  
Case 21-CB-234136

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Chula Vista Police Officers Association has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlrb.gov](http://www.nlrb.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **February 21, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 20, 2019. **If an appeal is postmarked or given to a**

February 7, 2019

**delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 21, 2019.** The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 21, 2019, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure

cc: **(b) (6), (b) (7)(C)**  
Chula Vista Police Officers Association  
PO Box 848  
Chula Vista, CA 91912-0848

City of Chula Vista  
Chula Vista City Attorney's Office  
276 4th Ave  
Chula Vista, CA 91910-2699

WBC/fb

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

Case Name(s).

---

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>21-CB-234247</b>	Date Filed <b>01-14-2019</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Chula Vista Police Officers Association		b. Union Representative to contact (b) (6), (b) (7)(C) Title: (b) (6), (b) (7)(C)	
c. Address (Street, city, state, and ZIP code) PO BOX 848 CA Chula Vista 91912-____		d. Tel. No. (619) 691-5151	e. Cell No.
		f. Fax No.	g. e-Mail (b) (6), (b) (7)(C)
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A), (3), (2) _____ of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  --See additional page--			
3. Name of Employer City of Chula Vista		4a. Tel. No.	b. Cell No.
		c. Fax No.	d. e-Mail krogan@chulavistaca.gov
5. Location of plant involved (street, city, state and ZIP code) Chula Vista City Attorney's Office 276 4th Ave CA Chula Vista 91910-2699		6. Employer representative to contact Karen Rogan Title:	
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No.
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C) _____			
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) Address _____ (date) 01/13/2019 21:32:58		Tel. No. (b) (6), (b) (7)(C) Cell No. Fax No. e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



## Basis of the Charge

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

Name of the Union Agent/Representative who made the threat	Date the threats were made
multiple	multiple

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by issuing unlawful fines and or internal charges.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by requiring nonmembers to pay dues and fees that are not related to representational activities.

### 8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by causing the employer to discriminate against an employee(s) in retaliation for failing to pay union dues.

### 8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

February 7, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association  
(City of Chula Vista)  
Case 21-CB-234247

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Chula Vista Police Officers Association has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlr.gov](http://www.nlr.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **February 21, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 20, 2019. **If an appeal is postmarked or given to a**

February 7, 2019

**delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 21, 2019.** The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 21, 2019, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure

cc: **(b) (6), (b) (7)(C)**  
Chula Vista Police Officers Association  
PO BOX 848  
Chula Vista, CA 91912

City of Chula Vista  
City Attorney's Office  
276 Fourth Ave  
Chula Vista, CA 91910

WBC/fb

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

---

Case Name(s).

---

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

February 25, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association  
(City of Chula Vista)  
Case 21-CB-234247

Dear (b) (6), (b) (7)(C):

This office has carefully considered your appeal. We agree with the Regional Director's determination and deny the appeal substantially for the reasons in the Regional Director's letter dated March 8, 2018. You failed to articulate any evidence of alleged unlawful conduct engaged in by the Union which would be unlawful under the National Labor Relations Act. Accordingly, further proceedings herein were deemed unwarranted.

Sincerely,

Peter Barr Robb  
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld".

By: \_\_\_\_\_

Mark E. Arbesfeld, Director  
Office of Appeals



cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
US COURT HOUSE  
312 N SPRING ST 10TH FL  
LOS ANGELES, CA 90012

CITY OF CHULA VISTA  
CITY ATTORNEY'S OFFICE  
276 FOURTH AVE  
CHULA VISTA, CA 91910

(b) (6), (b) (7)(C)  
CHULA VISTA POLICE OFFICERS  
ASSOCIATION  
PO BOX 848  
CHULA VISTA, CA 91912

kf



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

April 10, 2019

(b) (6), (b) (7)(C)

Re: Chula Vista Police Officers Association  
(City of Chula Vista)  
Case 21-CB-234247

Dear (b) (6), (b) (7)(C):

We are in receipt of your appeal-form filing in connection with the above-referenced case. We have reviewed this filing; to the extent this filing was intended to be a motion for reconsideration, that is, a request to reconsider our initial denial of your appeal, you have not provided us with any basis to reconsider the denial. An additional review of the file indicates that there is no basis for disturbing the decision. Accordingly, the motion is denied, and this case is considered closed.

Sincerely,

Peter Barr Robb  
General Counsel

A handwritten signature in black ink, reading "Mark E. Arbesfeld", is positioned above the typed name and title.

By: \_\_\_\_\_

Mark E. Arbesfeld, Director  
Office of Appeals

Chula Vista Police Officers Association  
(City of Chula Vista)  
Case 21-CB-234247

-2

cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
US COURT HOUSE, SPRING ST  
312 N SPRING ST 10TH FL  
LOS ANGELES, CA 90012

CITY OF CHULA VISTA  
CITY ATTORNEY'S OFFICE  
276 FOURTH AVE  
CHULA VISTA, CA 91910

(b) (6), (b) (7)(C)  
CHULA VISTA POLICE OFFICERS  
ASSOCIATION  
PO BOX 848  
CHULA VISTA, CA 91912

vrn

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case <b>21-CB-234645</b>	Date Filed <b>01-22-2019</b>

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name San Diego Police Officers Association		b. Union Representative to contact (b) (6), (b) (7)(C) Title:	
c. Address (Street, city, state, and ZIP code) 8388 Vickers St CA San Diego 92111-_____		d. Tel. No. (858) 573-1199	e. Cell No.
		f. Fax No.	g. e-Mail thoskins@pd.sandiego.gov
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A), (2), (3) _____ of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  --See additional page--			
3. Name of Employer Multiple Employers		4a. Tel. No.	b. Cell No.
		c. Fax No.	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code) Community Research Foundation 1202 MORENA BLVD #300 CA SAN DIEGO 92110-_____		6. Employer representative to contact Christine Davies Title:	
7. Type of establishment (factory, mine, wholesaler, etc.)	8. Identify principal product or service	9. Number of workers employed	
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No. (b) (6), (b) (7)(C)	b. Cell No. (b) (6), (b) (7)(C)
		c. Fax No.	d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state and ZIP code.) (b) (6), (b) (7)(C) _____			
<b>12. DECLARATION</b> I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (signature of representative or person making charge) (Print/type name and title or office, if any) Title: (b) (6), (b) (7)(C) Address _____ (date) 01/20/2019 20:00:21		Tel. No. (b) (6), (b) (7)(C) Cell No. (b) (6), (b) (7)(C) Fax No. e-Mail (b) (6), (b) (7)(C)	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Basis of the Charge

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they did not join or support the union.

Name of the Union Agent/Representative who made the threat	Date the threats were made
multiple	multiple

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

### 8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by operating a hiring hall in a manner that was arbitrary, discriminatory or in bad faith.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by issuing unlawful fines and or internal charges.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to honor a resignation of union membership.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to honor the revocation of dues check-off.

### 8(b)(1)(A)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by requiring nonmembers to pay dues and fees that are not related to representational activities.

### 8(b)(1)(A) and 8(b)(2)

Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by causing the employer to discriminate against an employee(s) in retaliation for failing to pay union dues.

### 8(b)(3)

Within the previous six months, the above-named labor organization has failed and refused to bargain in good faith with the employer.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

February 6, 2019

(b) (6), (b) (7)(C)

Re: San Diego Police Officers Association  
(Multiple Employers)  
Case 21-CB-234645

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that San Diego Police Officers Association has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case. Moreover, your evidence does not set forth any matter cognizable under the National Labor Relations Act.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlr.gov](http://www.nlr.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlr.gov](http://www.nlr.gov). You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **February 20, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 19, 2019. **If an appeal is postmarked or given to a**

**delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 20, 2019.** The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 20, 2019, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)  
San Diego Police Officers Association  
8388 Vickers St.  
San Diego, CA 92111

Multiple Employers  
Community Research Foundation  
1202 Morena Blvd., Ste. 300  
San Diego, CA 92110

WBC/fb

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

---

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

---

*(Signature)*



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

February 27, 2019

(b) (6), (b) (7)(C)

Re: San Diego Police Officers Association  
(Multiple Employers)  
Case 21-CB-234645

Dear (b) (6), (b) (7)(C):

We have carefully considered your appeal from the Regional Director's decision to dismiss the captioned charge. Based upon our review of the evidence disclosed by the Regional Office's investigation as well as applicable case law, we have decided to deny the appeal, substantially for the reasons in the Regional Director's letter dated February 6, 2019.

Aside from jurisdictional issues, the Regional Office's investigation disclosed that your evidence does not support a viable claim under the National Labor Relations Act. Accordingly, further proceedings on the captioned charge are unwarranted.

Sincerely,

Peter Barr Robb  
General Counsel

A handwritten signature in black ink, reading "Mark E. Arbesfeld", is written over a horizontal line.

By:

Mark E. Arbesfeld, Director  
Office of Appeals

cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
US COURT HOUSE  
312 N SPRING ST 10TH FL  
LOS ANGELES, CA 90012

MULTIPLE EMPLOYERS  
COMMUNITY RESEARCH  
FOUNDATION  
1202 MORENA BLVD STE 300  
SAN DIEGO, CA 92110

(b) (6), (b) (7)(C)  
SAN DIEGO POLICE OFFICERS  
ASSOCIATION  
8388 VICKERS ST  
SAN DIEGO, CA 92111

kf





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

April 11, 2019

(b) (6), (b) (7)(C)

Re: San Diego Police Officers Association  
(Multiple Employers)  
Case 21-CB-234645

Dear (b) (6), (b) (7)(C):

We are in receipt of your appeal-form filing in connection with the above-referenced case. We have reviewed this filing; to the extent this filing was intended to be a motion for reconsideration, that is, a request to reconsider our initial denial of your appeal, you have not provided us with any basis to reconsider the denial. An additional review of the file indicates that there is no basis for disturbing the decision. Accordingly, the motion is denied, and this case is considered closed.

Sincerely,

Peter Barr Robb  
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld".

By:

\_\_\_\_\_  
Mark E. Arbesfeld, Director  
Office of Appeals



cc: WILLIAM B. COWEN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
US COURT HOUSE  
312 N SPRING ST 10TH FL  
LOS ANGELES, CA 90012

MULTIPLE EMPLOYERS  
COMMUNITY RESEARCH  
FOUNDATION  
1202 MORENA BLVD STE 300  
SAN DIEGO, CA 92110

(b) (6), (b) (7)(C)  
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kh

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD		DO NOT WRITE IN THIS SPACE	
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS		Case	Date filed
		21-CB-253336	12/13/19
INSTRUCTIONS: File an original of this charge with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.			
1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name Security, Police, and Fire Professionals of America, Local 1		b. Union Representative to Contact (b) (6), (b) (7)(C)	
c. Address 1620 Centinela Ave # 308 Inglewood, CA 90302		d. Tel. No. 562-666-5808	e. Cell No.
		f. Fax No.	g. e-Mail
h. The above-named labor organization or its agents have engaged in and are engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
<p>Since about (b) (6), (b) (7)(C) 2019, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the termination grievance of (b) (6), (b) (7)(C) for arbitrary or discriminatory reasons or in bad faith.</p>			
3. Name of Employer American Corporate Security		4a. Tel. No.	4b. Cell No.
		4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code) 1 World Trade Center, Suite 1240 Long Beach, CA 90831		6. Employer representative to contact	
7. Type of Establishment (factory, mine, wholesaler) Service provider	8. Principal product or service security		9. Number of Workers employed
10. Full name of party filing charge (b) (6), (b) (7)(C)		11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
		11c. Fax No.	11d. e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP code) (b) (6), (b) (7)(C)			
12. DECLARATION			
I, (b) (6), (b) (7)(C) have read the above charge and that the statements therein are true to the best of my knowledge and belief.			
(b) (6), (b) (7)(C)		Tel. No.	
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		Cell No. (b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		Fax No.	
		e-Mail (b) (6), (b) (7)(C)	
		Date 12-5-19	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
 PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 21  
US Court House, Spring Street  
312 N Spring Street, 10th Floor  
Los Angeles, CA 90012

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

January 29, 2020

(b) (6), (b) (7)(C)

Re: Security, Police, and Fire Professionals of  
America, Local 1 (American Corporate Security)  
Case 21-CB-253336

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Security Police and Fire Professionals of America (SPFPA) Local 1 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

Your charge alleges the Union violated Section 8(b)(1)(A) of the Act by refusing to process your termination grievance for arbitrary or discriminatory reasons or in bad faith. The investigation revealed, however, that the Union promptly filed a grievance after your termination and sought to resolve the matter with the Employer within a few days of the filing of the grievance. After the Employer declined to settle the matter, citing the client's request that you be removed from the worksite, the Union determined that it was not likely to prevail in arbitration and withdrew your grievance. This decision was within the Union's wide range of reasonableness with regard to the processing of grievances. Thus, the investigation revealed no evidence that the Union's conduct was arbitrary or unlawfully motivated. Accordingly, further proceedings in this matter are not warranted.

**Your Right to Appeal:** You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at [www.nlrb.gov](http://www.nlrb.gov) and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://www.nlrb.gov). You are encouraged to also submit a complete statement of the facts

January 29, 2020

and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **February 12, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than February 11, 2020. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before February 12, 2020**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after February 12, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,



William B. Cowen  
Regional Director

Enclosure

cc: (See next page)

Security, Police, and Fire Professionals of - 3 -  
America, Local 1 (American Corporate  
Security)  
Case 21-CB-253336

January 29, 2020

cc: Richard M. Olszewski, Attorney at Law  
Gregory Moore Brooks & Clark PC  
[rich@unionlaw.net](mailto:rich@unionlaw.net)

American Corporate Security  
1 World Trade Center, Suite 1240  
Long Beach, CA 90831

WBC.hta



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

**Security, Police, and Fire Professionals of America, Local 1 (American Corporate Security)**

Case Name(s).

**21-CB-253336**

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

\_\_\_\_\_  
*(Signature)*